

**CHARTER**  
**BUREAU OF INDIAN AFFAIRS**  
**ADVISORY BOARD FOR EXCEPTIONAL CHILDREN**

- (1) Official Designation: Bureau of Indian affairs (BIA) Advisory Board for Exceptional children (Board).
- (2) Purpose and Objectives: The Board shall assist the Secretary in Performing his duties under the Individuals with Disabilities Education Act Amendments of 1997 (Act), Public Law 105-17, June 4, 1997, by advising the Secretary on the needs of Indian children with disabilities.
- (3) Duties of the Board: The duties of the Board are detailed in Public Law 105-17 as follows:
  - (A) to assist in the coordination of services within the BIA and with other local, State and Federal agencies in the provision of education for infants, toddlers and children with disabilities;
  - (B) to advise and assist the Secretary of the Interior in the performance of the Secretary's responsibility described in section 61 l(i) of the Act;
  - (C) to develop and recommend policies concerning effective inter- and intra-agency collaboration, including modifications to regulations, and the elimination of barriers to inter- and intra-agency programs and activities;
  - (D) to provide assistance and disseminate information on best practices, effective program coordination strategies, and recommendations for improved educational programming for Indian infants, toddlers, and children with disabilities; and
  - (E) to provide assistance in the preparation of information required to be submitted to the Secretary of Education under section 61 l(i)(2)(D) of the Act.

The Board will prepare and submit an annual report to the Secretary of the Interior and the Congress containing a description of the activities of the board for the preceding year. The Secretary shall make this annual report available to the Secretary of Education.

- (4) Period of Time Necessary for the Board's Activities: The Board's existence is mandated by Public Law 105-17, and is expected to continue for an indefinite period of time. The Board is subject to the requirements of the Federal Advisory Committee Act (FACA), 5 U.S.C., appendix 2. This charter will expire two (2) years from the date of filing unless rechartered prior to expiration consistent with section 14 of FACA.

5317  
C-ID #495  
11/9/99

- (5) Official to Whom the Board Reports: The Board reports to the Assistant Secretary -Indian Affairs through the Director, Office of Indian Education Programs (OIEP). The Designated Federal Official required by section 10 of FACA will be a member of the staff of OIEP, Branch of Exceptional Education.
- (6) Administrative Support: Administrative support for the Board will be provided by OIEP, Branch of Exceptional Education.
- (7) Estimated Operating Costs: Activities of the Board will require an estimated \$100,000 annually, including approximately one person-year of Federal employee support.
- (8) Meeting Frequency: The Board will meet at the call of the Designated Federal Official, but no less than twice annually. Notice of meetings will be published in the Federal Register. The Designated Federal Official must approve the agenda for each meeting and may adjourn meetings when the designated Federal Official determines that doing so is in the public interest.
- (9) Membershin:
- (A) The Board shall be composed of fifteen (15) members, including a Chairperson, appointed by the Secretary of the Interior. Members shall serve for a term of three years from the date of their appointment. Vacancies occurring through removal, resignation or death will be filled for the balance of the vacating member's term in the same manner in which the original appointment was made.
- (B) The Secretary will appoint a Chairperson after considering a list of recommended individuals submitted by the Assistant Secretary - Indian Affairs. The Assistant Secretary - Indian Affairs will compile a list of recommended individuals based on nominations received from individuals, organizations, and federally recognized tribes concerned with the education of Indian children with disabilities, as well as from State Directors of special education in the 23 states in which BIA funded schools are located.
- (C) The Secretary may remove members from the Board at any time in his discretion.
- (D) As required by Public Law 105-17, the Board will be composed of individuals involved in or concerned with the education and provision of services to Indian children with disabilities. The Board composition will reflect a broad range of viewpoints and will include at least one member representing each of the following interests:
- (1) Indian persons with disabilities,
  - (2) Teachers of children with disabilities,

- (3) Indian parents or guardians of children with disabilities,
  - (4) Service providers,
  - (5) State Education Officials,
  - (6) Local Education Officials,
  - (7) State Interagency Coordinating Councils (for states having Indian reservations),
  - (8) Tribal representatives or tribal organization representatives, and
  - (9) BIA employees concerned with the education of children with disabilities.
- (E) The Chairperson of the Board shall preside at all meetings.
- (F) To perform its duties, the Board may form subgroups as necessary. Membership of a Board member in a subgroup will be determined by the Chairperson.
- (G) Members of the Board will not receive compensation, but will be reimbursed for travel, subsistence and other necessary expenses incurred in the performance of their duties consistent with the provisions of Title 5, United States Code, Chapter 57.
- (10) Statutory Authority: Individuals with Disabilities Education Act Amendments of 1997, Public Law 105-17.



\_\_\_\_\_  
SECRETARY OF THE INTERIOR

**APR 9 1999**

\_\_\_\_\_  
Date Charter Signed

**OCT 28 1999**

\_\_\_\_\_  
Date Charter Filed